

HAMILTON COUNTY BOARD OF COMMISSIONERS  
APRIL 9, 2007

The Hamilton County Board of Commissioners met on Monday, April 9, 2007 in the Commissioners Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session in Conference Room 1A. President Dillinger called the public session to order at 1:50 p.m. and declared a quorum present of Commissioner Steven C. Dillinger and Commissioner Steven. A. Holt. Commissioner Christine Altman was absent. The Pledge of Allegiance was recited.

**Executive Session Memoranda**

Holt motioned to approve the Executive Session Memoranda of April 9, 2007. Dillinger seconded. Motion carried unanimously.

**Bid Opening**

**Sheriff's Annual Fuel Re-bid**

Mr. Michael Howard opened the bids for the Sheriff's Department Fuel for 2007. 1) Hamilton County Co-Op - \$2.1480. 2) Petroleum Traders - \$2.3828. 3) Petroleum Traders - \$2.3828. Howard recommended bids be forwarded to the Sheriff for review and recommendation later today. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Highway Business**

**Acceptance of Bonds/Letters of Credit – Highway Department**

Thurman requested the acceptance of Bonds and Letters of Credit. 1) HCHD #B-01-0004 – Ohio Farmers Insurance Company Continuation Certificate on annual bond #5883549 on behalf of JDH Contracting, Inc. to expire January 29, 2008. 2) HCHD #B-05-0026 – Travelers Casualty and Surety Company Continuation Certificate on Annual Bond #104495040 issued on behalf of Gradex, Inc. to expire April 13, 2008. 3) HCHD #B-07-0009 – Travelers Casualty and Surety Company Performance Bond No. 104895028 issued on behalf of E&B Paving, Inc. in the sum of \$15,000 for Category 2, paving mixtures for the period of March 1, 2007 thru February 28, 2008. 4) HCHD #B-07-0010 – State Automobile Mutual Insurance Company Annual Permit Bond No. 6927443 issued on behalf of Wills Excavating, Inc. in the amount of \$25,000 to expire March 21, 2008. 5) HCHD #B-07-0011 – Travelers Casualty and Surety Company Performance Bond No. 104896856 issued on behalf of United Rental Highway Technologies, Inc. in the sum of \$5,000 to supply Category 8a – painted markings and Category 8b – Thermoplastic Markings through March 22, 2008. 6) HCHD #L-06-0001 – Pedcor Financial Bancorp Letter of Credit No. 2007-006 issued on behalf of Grey Stone Apartments, Noblesville, in the sum of \$65,311.56 and amends Letter of Credit 2006-003 which expired 3/2007 and the renewal expires March 20, 2008. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Release of Bonds/Letters of Credit – Highway Department**

Thurman requested the release of Bonds and Letters of Credit for the highway department. 1) HCHD #B-05-0029 Western Surety Company Supply Bond #69890792 for American Timber Bridge/Culvert in the amount of \$5,000. 2) HCHD #05-0005 Western Surety Company Supply Bond #69890792 for American Timber Bridge/Culvert in the amount of \$5,000. 3) HCHD #B-02-0122 – United States Fidelity and Guaranty Company Payment Bond for E & B Paving, Inc. in the amount of \$179,157. 4) HCHD #B-02-0121 – United States Fidelity and Guaranty Company Performance Bond for E & B Paving in the amount of \$179,157. 5) HCHD #B-03-0045 St. Paul Fire and Marine Insurance Company Performance Bond #400SV2371 for E & B Paving in the amount of \$526,853. 6) HCHD #B-03-0046 St. Paul Fire and Marine Insurance Company Payment Bond #400SV2371 for E & B Paving in the amount of \$526,853. 7) HCHD #B-04-0038 St. Paul Fire and Marine Insurance Company Payment Bond for E & B Paving in the amount of \$539,714. 8) HCHD #B-05-0006 St. Paul Fire and Marine Insurance Company Performance Bond #104453174 for Irving Materials, Inc. in the amount of \$5,000. 9) HCHD #B-05-0007 St. Paul Fire and Marine Insurance Company Payment Bond #104453174 for Irving Materials, Inc. in the amount of \$5,000. 10) HCHD #B-05-0010 St. Paul Fire and Marine Insurance Company Performance Bond #104453178 for E & B Paving in the amount of \$15,000. 11) HCHD #B-05-0035 SAFECO Bond #6197511 for Cargill, Inc. in the amount of \$25,000. 12) HCHD #B-01-0034 Ohio Farmers Insurance Company Performance Bond #5825455 for Young Trucking, Inc. in the amount of \$24,000. 13) HCHD #B-05-0032 Ohio Farmers Insurance Company Performance Bond \$5601458/104471067 for Shelly & Sands, Inc. in the amount of \$15,000. 14) HCHD #B-05-0033 Ohio Farmers Insurance Company Payment Bond #5601458/104471067 for Shelly & Sands, Inc. in the amount of \$15,000. 15) HCHD #B-05-0011 Harleysville Mutual Insurance Company Bond for Interstate Road Management Corporation Bond #BBC068291 for annual bid category 8D, 8E in the amount of \$42,450. 16) HCHD #B-05-0013 Fidelity and Deposit Company Performance Bond #8735307 for T & R Pavement Markings, Inc. in the amount of \$5,000. 17) HCHD #B-05-0014 Fidelity and Deposit Company Payment Bond #8735307 for T & R Pavement Markings, Inc. in the amount of \$5,000. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Agreements/Supplements**

**146<sup>th</sup> Street Extension Project**

Thurman requested approval of Utility Reimbursement Agreement HCHD #M-07-0009 with Vectren Energy Delivery of Indiana in the amount of \$11,647 for work to take place near Northpointe Boulevard at 146<sup>th</sup> Street. Holt motioned to approve. Dillinger seconded. Motion carried unanimously. Thurman requested approval of Utility Reimbursement Agreement HCHD #M-07-0009 with Vectren Energy Delivery of Indiana for work on 146<sup>th</sup> Street and Promise Road in the amount of \$23,144. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Concurrence with Traffic Study Correspondence**

Thurman requested approval of the list of correspondence concerning investigations of requests for signage on Hamilton County Roads. 1) Bill Maxwell regarding a traffic signal at 146<sup>th</sup> Street, Rosebud Drive and Harrison Parkway in Noblesville Township. 2) MJ Kurdys regarding a pedestrian signal at 146<sup>th</sup> Street and Rohrer Road in Washington/Clay Townships. 3) Alisa Riffey regarding a Four-Way Stop at 146<sup>th</sup> Street and Shelborne Road in Washington Township. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Bid Award**

**Bridge #86, Rulon Road over Weasel Creek**

Thurman recommended awarding the bid for replacement of Bridge #86, Rulon Road over Weasel Creek to Erber & Milligan Construction Company, Inc. in the amount of \$278,402.85. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**St. Vincent Hospital Letter**

Thurman requested approval of a letter to Mr. Gary Everling of St. Vincent Hospital regarding the bridge over I-69 at Olio Road. St. Vincent is concerned that the bridge will obstruct the view of the hospital. Holt stated he believes the letter should include that we will be requesting a 60' half right of way and Fishers should be copied on the letter. Holt motioned to re-work the letter and have the county attorney review it. Dillinger seconded. Motion carried unanimously.

HAMILTON COUNTY BOARD OF COMMISSIONERS  
APRIL 9, 2007

**Public Hearing [2:09:40]**

**Ordinance 04-09-07-A**

**Vacation of Public Right of Way – Haldon & Millikan**

Mr. Jeffrey R. Slaughter (1040 E. 86<sup>th</sup> Street, Suite 42A, Indianapolis) representing the Millikan's, stated he has been working with Tim Knapp on the Petition to Vacate a Platted Right of Way. The area is comprised of three (3) alleys and one roadway which is part of the plat of Farmington which is now Deming. It is Mr. Slaughter's understanding that this platted right of way appears to have been vacated and no longer exists. The proof of vacation can not be found. A total of six (6) adjoining property owners have been notified with return receipt requested as well as first class mail. Slaughter has not received two of the return receipt cards back but he has not received any refused mail or return of the first class letters. Slaughter requested the Commissioners adopt the Ordinance 04-09-07-A.

Dillinger opened the public hearing.

Ms. Ann Day, 3993 E. 226<sup>th</sup> Street Cicero, Indiana, stated she is one of the adjacent property owners. She received a notice that this meeting was going to be here today but she has no other information, maps and documentation that is affecting the property that is adjacent to her. Mr. Slaughter showed Ms. Day the map showing the area that is to be vacated. Slaughter stated Lot 25 and Lot 26 lie immediately north of the property which is owned by the Millikans. Between that is an alley which is being vacated. The purpose of this is to split the alley half to the Day property and half to the Millikans.

Dillinger closed the public hearing.

Holt asked Ms. Day if she objects? Ms. Day stated no. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

Dillinger asked Tim (Knapp) and Kim (Rauch) to make sure all future vacations are presented with a map that can be displayed on the video screen.

**Parks Department Transportation Enhancement Grant Application**

Mr. Al Patterson and Mr. Curtis Baumgartner, Hamilton County Parks Department, requested approval of Transportation Enhancement grant applications:

- Monon Trail Land Acquisition – grant request of \$1 million with match of \$500,000. This is the section identified as the county section of the Monon Trail (216<sup>th</sup> Street to Lamong Road).
- Archaeological Programming at Strawtown-Koteewi Park – grant request of \$304,665 with a match of \$76,174.
- Historic Bridge Grant #2 – grant request of \$609,000 with a match of \$162,000.

Howard asked if the match is funded? Patterson stated they are requesting an additional appropriation from the county council at their next meeting. Holt motioned to execute all three grant applications with the understanding that submission would be contingent on council approval on Wednesday night for funding. Dillinger seconded. Motion carried unanimously.

**Glen Shrock – Requesting Pay for Security Work**

Mr. Glen Shrock, 204 North Church Street, Arcadia, Indiana, stated he is requesting payment for security work that he performed for the Hamilton County Sheriff's Department in September 2005. He worked over 40 hours and thought he was to be compensated but found out later that there was no compensation available. Dillinger stated Sheriff Carter had told him that Mr. Shrock was working for the Soleheim Cup? Shrock stated he signed up through the Hamilton County Sheriff's Department. In 1991 and 1993 for the PGA and LPGA Championships he was compensated by Crooked Stick. When this detail came along he signed up to work it also. Shrock worked for various departments in 1991 and 1993 but was compensated for his work. Shrock took vacation time to work the Soleheim Cup. Mr. Tom Cotton was in charge of his detail for the Soleheim Cup. Mr. Cotton has told him he made it perfectly clear that there was no compensation coming. What Shrock heard him say was that they would only be compensated for the time they spent on the course with the girls, which is the hours he kept track of. Everyday he told Mr. Cotton what hours they worked and he requested that information. There was no indication that they would not be compensated. Dillinger asked if there is anyone else in the same situation? Shrock stated there were no other full time police officers. There were retired police officers from Indianapolis. He worked with Thurl Cecil and told Shrock that he had taken vacation time to work the detail and while the detail was going on he was told to forget about using his vacation time and these would be his normal duty hours. State Police were involved and they were compensated by the State Police. Dillinger asked if Shrock was paid by Arcadia during this time? Shrock stated he was on vacation. Howard asked who is Mr. Cotton? Shrock stated he is a retired IPD (Indianapolis Police Department) and he was in charge of our detail. Dillinger asked if he was working for the Hamilton County Sheriff's Department? Shrock stated he does not know how he got that job? Major Mark Bowen stated the sheriff's office provided security for the venue and assisted the City of Carmel by providing security for the venue and traffic. The player escorts, that Shrock alludes to, is something that Mr. Cotton and Danny Oberly were in charge of through the Indiana Sports Corporation who organized security for the players. It is Bowen's understanding that they were looking for retired volunteer police officers to conduct the player escorts. A number of folks were volunteers, a few were full time officers either with the sheriff's office or Indiana State Police (ISP). They were compensated through their specific agencies. The Soleheim Cup did provide funding to the sheriff's office and the City of Carmel to help offset some of the overtime costs but it in no way covered the expenditures of either of those agencies for the amount of security that was provided. Dillinger asked if there was anyone else in Mr. Shrock's situation that was involved? Bowen stated he does not know. Lieutenant Gehlhausen and Thurl Cecil did player escorts. There were folks from IPD and several ISP officers who he thinks were compensated through their specific agencies. There were also volunteers that he does not know if they were compensated. Dillinger asked Shrock why he thinks this is a county responsibility? Shrock stated he signed up through the Hamilton County Sheriff's Department. He did the same in 1991 and 1993. At that time he was Arcadia Town Marshal. Dillinger stated the sheriff's department is stating that they told you you would not be paid, is that correct? Bowen stated it is his understanding that the volunteers walking with the players would not be compensated, certainly not by us, unless they were going to be compensated by Soleheim Cup or Indiana Sports Corporation. That was not in any kind of budget plan to compensate those player escorts. Dillinger stated Sheriff Carter told him that most volunteers had to pay to get in? Is that correct? Shrock stated no, the volunteers were issued identification to get in. On his detail they were given a golf shirt to wear. Some of the volunteers did have to pay. Bowen stated the civilian volunteers did have to pay to work the event. Shrock stated there was no other police officer of any type that had to pay anything. Going back to our original briefing at the 4-H Grounds, Mr. Cotton stated we would be paid for the time we spent on the course. His letter to Sheriff Carter indicated that he made it perfectly clear that we would not be compensated. Shrock stated he has spoken with Thurl Cecil and he couldn't remember being specifically told that we would be compensated for the time but he is very specific that Mr. Cotton did not say anything about not being compensated. All of the time Shrock thought he would be compensated because he had been compensated before. Shrock stated he contacted a friend of his

HAMILTON COUNTY BOARD OF COMMISSIONERS  
APRIL 9, 2007

who was in Florida and he said he would check on it. After some delay, he told Shrock that the Indiana Sport Corporation had leased Crooked Stick Golf Course and Crooked Stick itself had lost money. He was checking with the Indiana Sport Corporation. Shrock's friend found out that Indiana Sport Corporation had written a check to the Hamilton County Sheriff's Department in the neighborhood of \$30,000 for the security. He was going to check with the PGA and he never heard back from his friend. Shrock stated he contacted Kelly Hinds of the Indiana Sport Corporation and he told him about writing the check to the Hamilton County Sheriff's Department for the security. After that he spoke with Mr. Schwartz of the Hamilton County Council and then he spoke with an attorney who suggested he speak with the Commissioners. Dillinger stated he is having a hard time trying to define the county's role. Shrock stated he signed up to work through the Hamilton County Sheriff's Department, the service he provided was provided in Carmel, not Arcadia. Dillinger asked how did you sign up through the sheriff's department? Shrock stated he contacted Doug Carter personally and told him he would like to work that detail. Carter told him he would get him in on it. Dillinger stated at this point he got you in with the Indiana Sports? Shrock stated yes. Dillinger asked why did you think you were working for the county if he (Carter) just facilitated getting you in with this sports group? Shrock stated because it was a security detail and security was provided by Hamilton County Sheriff's Department and Carmel Police Department. For the detail the security was provided, arranged by Hamilton County Sheriff's Department and Carmel. Howard asked if Shrock's previous times working out there was paid for by the event, the sheriff's department did not pay you for the other events? Shrock stated no, Crooked Stick paid him for the other times. When he signed up for those details he did not ask who was paying and he did not ask this time either. Holt asked Bowen how would this be any different than Deer Creek, where the sheriff's department is in charge of security and municipal law enforcement officer would sign up to work the detail and be paid? Bowen stated we contract with Verizon Wireless Music Center and the security is paid for by Verizon Wireless Music Center, not by the Sheriff's office. Holt stated but the sheriff's department would be presumed by an officer from Arcadia, Cicero, etc., they would go the Sheriff if there was a problem, not Verizon? Bowen stated correct, they provide a liaison to the venue and arrange and organize the security for the events. The sheriff's office does not pay those officers that work those events, Verizon Wireless Music Center pays those officers. Holt stated the sheriff's office was compensated for doing that? Bowen stated the sheriff's office received funds from Verizon for the liaison's overtime to make those arrangements. Holt stated on the Crooked Stick scenario you had officers that worked overtime and you used the \$30,000 to pay them overtime so it was work beyond what their normal work week would be? Bowen stated that is correct. Holt stated as opposed to the example Glen used that it was Thurl and he was working his regular hours? Bowen stated that is correct. Holt stated so the \$30,000 would go towards the overtime people? Bowen stated the \$30,000 went to the overtime people but even the \$30,000, he does not believe, was enough to compensate all of the man hours. Holt stated it wouldn't compensate the regular hours but if most of the detail were people working regular hours out there you wouldn't care, that was a service the sheriff was providing. But for the overtime it would be an impact on your budget? Bowen stated that is correct. Holt stated he thinks Glen is caught in a cross fire, with the sheriff being responsible for the security detail if there had been a problem with Glen's performance it sounds like Indiana Sports Corp would have been talking with the sheriff who is in charge of security. If you turn that around, if Glen did not get compensated and he thought he was and had been previously and certainly if you were working Deer Creek you would think you were being compensated, you wouldn't go out there because you thought it was a good concert so you would work security. That is the parallel for this as well, just because you like Jimmy Buffet you would not go work security for free and just because you like lady golfers you would not take your vacation time as a law enforcement officer to work that detail. [2:40:00] Holt motioned to send a favorable recommendation to the county council to approve compensation for Glen for the service he provided through the sheriff's department. Dillinger stated he can not second that. He can't determine why the county is liable. If Glen thinks he should be paid he needs to address the people who were doing the paying, not the county. Holt stated they did not recruit him, the sheriff did. Dillinger stated neither did the sheriff. Dillinger stated he spoke with Doug (Carter) yesterday and he said he made it very clear. Dillinger stated he does not know. Shrock stated the sheriff was not there when Tom Cotton was talking with the detail. The Sheriff told him he was with the escort detail. Dillinger stated the letter from Mr. Cotton states he made it perfectly clear that they would not be paid. Holt stated he does not know Tom Cotton and Glen has been involved in law enforcement in Hamilton County longer than he would care to guess. If Glen says he didn't say it, he is inclined to think he didn't say it or it is convenient at this point to a letter to the sheriff. This sounds like the James Dean Festival where everyone came in and worked, they didn't make any money so they decided to not pay anybody last year. I don't think it should fall on Glen's shoulders. Dillinger stated he does not think it is the same thing. Dillinger stated convince him where it is the county's liability and if it is where is it going to be paid from? Holt stated it is not liability, it is right or wrong. Holt stated it is what is fair. Shrock stated it was well known amongst the various departments that they were taking people to work the detail. They knew Shrock's interest in golf and that is how he found out about it. He does not know who told him and he can't say they sent a mailer out for this type of information for the Soleheim. Shrock stated he knew they were going to be taking people to work the detail, the same as before in 1991 and 1993, there was no mailing, no recruitment involved. Dan Stevens was Sheriff at the time and he let Dan know that he would like to work the detail and he signed up and worked and got paid. Holt stated if everyone from the City of Carmel got paid, everyone from the sheriff's department got paid why would the Arcadia Town Marshal not get paid? Dillinger stated we don't know that they did get paid. Holt asked Bowen if everyone from the sheriff's department got paid? Bowen stated everyone from the sheriff's department got paid. If it was not part of an overtime issue or regular work detail. We were required to provide security for the venue, the City of Carmel and sheriff's department tag teamed that event. As far as the player escorts it was his understanding that they were going to be volunteer retired police officers would provide those. Bowen stated he knows some of those people were paid whether by his own specific agency or what have you. If they worked for another police force they did it on duty for their department so therefore they were paid as an on-duty detail. Holt stated Arcadia was not required to provide security. Typically would Arcadia work under the umbrella of the sheriff's office on something like this? Bowen stated ordinarily we would not ask Arcadia or some other outside agency to assist on that. Since Glen volunteered the Sheriff offered to let him work the detail. Dillinger stated according to the Sheriff he thought he was doing Shrock a favor because he wanted to see the event and he was helping you get in. Shrock stated no, that is not true. He appreciates him letting him work it, the same as he appreciated Dan Stevens working the '91 and '93 tournaments. There were full time state police officers on the same detail he was on and there were full time Hamilton County Sheriff's officers on the same detail, player escort. Dillinger stated they had a responsibility to be there. Shrock stated and they got paid. He had a responsibility also. Dillinger stated he would have to have more information. All he knows is what the Sheriff has told him and he knows what Shrock has told him. Shrock stated the only thing the Sheriff said was that he could not pay him out of the Sheriff's department funds. Holt stated that was his understanding as well. The \$30,000 did not cover the Sheriff's costs, he did not have it in the budget. Holt stated his motion would be to send it with a favorable recommendation of the county council to fund an additional to pay Glen for his time, not for

HAMILTON COUNTY BOARD OF COMMISSIONERS  
APRIL 9, 2007

it to be taken out of the Sheriff's budget as it exists. Holt stated he thinks it is a right and wrong issue and the county council should have our favorable request that he be compensated. Holt stated he understands what Doug is saying, that he does not have it in his budget. Bowen stated we don't have it in the budget and he is not an employee of the department. Holt stated Carter told him he thought the event cost him \$60,000 and they were compensated \$30,000. Bowen stated it was closer to \$80,000 cost to the agency. Holt stated the sheriff's department is upside down on it and they are saying they don't have the money in a line item to pay Glen. But that is not what Glen is here about, he is saying what is right is right and what is wrong is wrong. Glen is saying he was contracted through the Sheriff's department and Holt believes Shrock that he thought that. The guys he has been with in law enforcement throughout the county is on the same detail as he is in and they are getting paid then why shouldn't he be paid as a Hamilton County law enforcement person? Dillinger stated he does not dis-believe Shrock, he thinks he thought that too. Dillinger stated he is just telling Holt what the other side said and he is having a hard time figuring out why we should make the taxpayers of Hamilton County pay the \$800. Holt stated the taxpayers underwrote \$50,000 loss on the event to the sheriff's department. The Hamilton County Alliance under wrote lots of money to have Soleheim here. Hamilton County businesses spent tens of thousands of dollars contributing money to get Soleheim here. I suspicion the City of Carmel had a loss in order to have Soleheim here. We have the Arcadia Town Marshal who thought he was part of that effort slipping through the crack and Holt does not think it is asking a lot of the county council to compensate him as an additional. Dillinger stated he is not going to ask them that, it is going without a recommendation either for or against. Dillinger stated he does not have enough information to make that determination. Shrock stated you know me well enough to know if I did not feel I was to be compensated I would not be here. Dillinger stated he is not questioning that. Shrock stated the question is what Mr. Cotton said, if he had told him he would not be compensated he would not have worked double shifts. Dillinger stated he believes that what Shrock his telling him is what he believes is true, but what the Sheriff and Bowen are telling him and reading Mr. Cotton's letter, nobody is able to tell him of anyone else who got paid in that volunteer position. Shrock asked if he thinks Thurl Cecil or anybody else who wanted to work the detail probably put their names in, the same as he did and he is the only full-time police officer that did not get paid. The others are retirees from Indianapolis and Marion County. Dillinger asked if Thurl was retired at the time? Shrock stated no, he was full duty. Dillinger asked who of our people who were retired that got paid? Bowen stated there were people from Marion County. Tom Cotton is a retired IPD and has connections with retired officers to get the player escorts. Dillinger asked if they got paid? Bowen stated not that he is aware of, but he does not know that for sure. Dillinger asked if they can find that out. Bowen stated Tom's letter makes that clear that they were not paid. Shrock stated he thinks there is a difference between retirees and active duty. Dillinger stated what is the difference if the reason they did not get paid, according to Cotton, was that he made it crystal clear they were not going to get paid? Shrock stated he did not make it crystal clear. Dillinger asked if those people understand? Shrock stated he does not know. Holt stated the difference is that Cotton recruited those people. Glen went through the sheriff's department as he did twice before. Glen went through as a Hamilton County law enforcement officer, not as a IPD retiree. Shrock stated he worked as security for Hamilton County through the sheriff's department. Dillinger motioned to table until the next meeting. Dillinger thinks the Sheriff should be here and the other commissioner should be here. Shrock stated if you have another venture come in and you are arranging security personnel that no one ends up like himself. The county should not lose a bunch of money from Indiana Sports Corp., who apparently made quite a fortune. Dillinger stated if we lost that money the contract should have been negotiated through the commissioners. Dillinger asked Shrock to come to the next meeting (April 23, 2007 at 2:45 p.m.).

Dillinger called a break in the meeting.

Dillinger called the meeting back to order. [3:09:26]

**St. Vincent Hospital Letter**

Dillinger stated the letter to Mr. Everling of St. Vincent Hospital has been re-written to include the statement that any plat or use of the land along this right of way should include dedication of 60' half right of way. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Purchase Orders – ISSD**

Ms. BJ Casali requested approval of ISSD Purchase Orders:

1. Oracle Support Services - \$15,295.50.
2. Arsenault Associates – Dossier System - \$16,450.00

Holt stated with the representation that members of his family own Oracle stock, Holt motioned to approve both purchase orders. Dillinger seconded. Motion carried unanimously.

**Contract Renewal – Buildings and Grounds**

Mr. Scott Warner requested approval of the tower clock maintenance contract with The Tower Clock Company in the amount of \$375.00. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Attorney**

**Community Corrections Project**

Howard stated the Department of Local Government Finance (DLGF) approved the full budget for the Hamilton County Community Corrections Project. Howard stated during the January 8, 2007 meeting the commissioners held and approved a resolution executing the lease subject to DLGF approval. Howard requested signature on the lease. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Estridge Development Corporation Drainage Easement**

Howard requested approval of an Agreement Concerning Drainage and Easement Issues between Estridge Development Company, the Hamilton County Drainage Board, Hamilton County on behalf of the Hamilton County Highway Department and the City of Noblesville for property on 141<sup>st</sup> Street and Promise Road. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Administrative Assistant**

**URISA Exemplary Systems in Government Award**

Mr. Fred Swift requested approval of an authorization letter to be included with the URISA Exemplary Systems in Government Award entry, as submitted by Larry Stout. The entry is Hamilton County's E-911 Data Project. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Release of Retainage Escrow – Juvenile Services Center**

Swift requested approval of the release of Retainage Escrow accounts on the Juvenile Services Center, as recommended by Dan Stevens and Envoy, Inc. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

HAMILTON COUNTY BOARD OF COMMISSIONERS  
APRIL 9, 2007

**Resolution 04-09-07-1 -Emergency Management Mutual Aid Agreement**

Swift stated the reference in the Emergency Management Mutual Aid Agreement with county entities referred to an Indiana statute that has been repealed. Swift requested approval of Resolution 04-09-07-1 changing the language in the mutual aid agreement to state that current Indiana Code cite. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Superior Court 6 Accounts Payable Claim**

Swift stated he has investigated the Superior Court 6 Accounts Payable Claim for a total of \$1,282. Superior Court 6, only, has a budget line item for office equipment. The other courts office equipment line item is listed in the Court Administration budget. Because Superior 6 is a new court the county council thought it was acceptable to have this one time only line item of office equipment in their budget for 2007. The purchase included a flat screen monitor, VCR recorder and brackets. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Request for Use of Facilities**

**Lions Club Pork Chop Festival**

Swift stated the Noblesville Lions Club has requested use of the historic courthouse lawn for their annual Pork Chop Festival on June 1-2, 2007. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**National Day of Prayer**

Swift stated Sheriff Chaplain Tom Burton has requested use of the historic courthouse steps for observance of the National Day of Prayer on May 5, 2007 at 12:00 noon. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Home for Sale**

Holt motioned to request Tim Knapp to look at the property Christine Altman has found and if he raises no objection by what he sees then we proceed. Dillinger seconded. Motion carried unanimously.

**Sheriff**

**Bid Award – 2007 Fuel**

Major Mark Bowen recommended the 2007 fuel bid for the sheriff's department be awarded to the Hamilton County Co-Op. Holt motioned to approve. Dillinger seconded. Holt asked how does this compare to the highway departments bid from the Co-Op? Captain Benny Craig stated it is not comparable because they buy theirs at the pump and we have our fuel delivered. Motion carried unanimously.

**Auditor [3:25:31]**

**Acceptance of Bonds/Letters of Credit – Drainage Board**

Ms. Dawn Coverdale requested acceptance of Bonds and Letters of Credit for the drainage board. 1) HCDB-2006-00009 – Bond Safeguard Insurance Company Subdivision Bond No. 5026621 for The Ridge @ Hayden Run, Section 3 storm sewers in the amount of \$146,970 (replaces HCDB-2006-00005). 2) HCDB-2006-00010 – Bond Safeguard Insurance Company Subdivision Bond No. 5026618 for The Ridge @ Hayden Run, Section 3 – monuments and markers in the amount of \$2,640 (replaces HCDB-2006-00004). Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Release of Bonds/Letters of Credit – Drainage Board**

Coverdale requested the release of Bonds and Letters of credit for the drainage board. 1) HCDB-2001-00051 – Frontier Insurance Company Subdivision Bond Null (128827) – Cumberland Place monuments and markers - \$3,000. 2) HCDB-2002-00316 – Gulf Insurance Company Subdivision Performance Bond #B21847255 – Lakes of Hayden Run Section 1 – storm sewers, erosion control and monuments & markers - \$333,798.53. 3) HCDB-2003-00022 – Continental Insurance Company Subdivision Bond #929283376 – Lakes @ Hayden Run Section 2 monuments and markers - \$2,100. 4) HCDB-2006-00003 – Continental Insurance Company Subdivision Performance Bond #929 388 498 – Ridge at Hayden Run Section 3 erosion control - \$46,466.58. 5) HCDB-2006-00004 – Continental Insurance Company Subdivision Performance Bond #929 388 499 – Ridge at Hayden Run Section 3 monuments & markers - \$1,980. 6) HCDB-2006-00005 – Continental Insurance Company Subdivision Performance Bond No. 929 388 497 Ridge at Hayden Run Section 3 storm sewers and subsurface drains - \$197,334. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Payroll Claims**

Coverdale requested approval of Payroll Claims for the period of March 12-25, 2007 paid April 5, 2007. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Vendor Claims**

Coverdale requested approval of Vendor Claims to be paid April 10, 2007. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

Holt motioned to adjourn. Dillinger seconded. Motion carried unanimously.

**Commissioners Correspondence**

IDEM Notice of Sewer Permit Applications

Ambria, Section 1- Fishers

Promenade Shoppes – Noblesville

Village on the Monon- Carmel

Westfield Interceptor Sewer – Westfield

IDEM Notice of Sanitary Sewer Construction Permits

Lakeside Park Subdivision, Section 6 & 7 – Carmel

IDEM Notice of Decision

Standard Locknut, LLC – Westfield

IDEM Notice of Application for marketing & Distribution Permits

Cheron, Inc.

HAMILTON COUNTY BOARD OF COMMISSIONERS  
APRIL 9, 2007

**Present**

Steven C. Dillinger, Commissioner  
Steven A. Holt, Commissioner  
Dawn Coverdale, Chief Deputy Auditor  
Kim Rauch, Administrative Assistant to Auditor  
Fred Swift, Administrative Assistant to Commissioners  
Michael A. Howard, Attorney  
Darren Murphy, Attorney  
Mark Bowen, Sheriff’s Major  
Joel Thurman, Interim Highway Engineer  
Amber Emery, Highway Public Service Representative  
Christopher Burt, Highway Staff Engineer  
Tim Knapp, Highway Right-of-Way Specialist  
Matt Knight, Highway Staff Engineer  
Faraz Kahn, Highway Department  
Kathy Howard, Highway Department  
Bob Davis, Highway Superintendent  
Nancy Nance, Hamilton County Co-Op  
Ryan Heath, Indianapolis Star/Noblesville Ledger  
Kerry Knight, Greenwood, IN  
Larry Seymour, Vacation of Street & Alleys  
Haldon R. Millikan, Vacation of Street & Alleys  
Michael E. Millikan, Vacation of Street & Alleys  
Floyd Burroughs, FEBA  
Jeff Slaughter, Vacation of Street & Alleys  
Becki Wise-Kent, USI  
BJ Casali, ISS  
Scott Warner, Buildings & Grounds

APPROVED  
HAMILTON COUNTY BOARD OF COMMISSIONERS

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ATTEST

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Robin M. Mills, Auditor